

Sim, Lowman, Ashton & McKay LLP*Barristers & Solicitors***Sim & McBurney***Patent & Trade Mark Agents*6th Floor, 330 University Avenue
Toronto, Ontario, Canada M5G 1R7**RECEIVED
CENTRAL FAX CENTER****Tel. (416) 595-1155 • Fax (416) 595-1163****OCT 05 2006****DATE: October 04, 2006****URGENT****Your Ref: -****Our Ref: 12927-11 LAB**

TO:Commissioner for Patents United States Patent & Trademark Office	FAX # 571 273 8300	PHONE #

Total Number of Pages (Including This Page): 17**FROM: Dr. Lola A. Bartoszewicz, Ph.D. /****416 849 8420****COMMENTS:**

We are transmitting from a Xerox Telecopier 7033, 7020 or Workcentre Pro 745 – Group 3 which are compatible with Groups 1 and 2 and fully automatic on a 24 hour basis. If any part of this message is received poorly or missing please call the telecopier operator immediately at (416) 595-1155.

Confidentiality Notice

This message is intended only for the use of the individual person or entity to which it is addresses and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient or the agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosing, copying, distributing or the taking of any action in reliance on the contents of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect) and return the original message to us at the above address via the postal service. Thank you.

RECEIVED
CENTRAL FAX CENTER

416595 7306

T-468 P.002/017 F-364

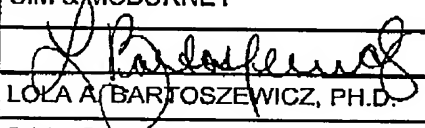
OCT 05 2006

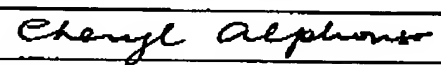
PTC/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/711408	
	Filing Date	September 16, 2004	
	First Named Inventor	Holmut E. Freitag	
	Art Unit	1641	
	Examiner Name	Chin, Christopher L.	
Total Number of Pages in This Submission	16	Attorney Docket Number	12927-11 LAB

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	SIM & MCBURNEY		
Signature			
Printed name	LOLA A. BARTOSZEWICZ, PH.D.		
Date	October 5, 2006	Reg. No.	43394

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	CHERYL ALPHONSO	Date	October 5, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 05 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Confirmation No: 5407

Helmut E. Freitag

Group Art Unit : 1641

Application No: 10/711,408

Examiner : Chin, Christopher L.

Filed : September 16, 2004

Attorney Docket No: 12927-11 LAB

For : CHROMATOGRAPHIC ASSAY DEVICE AND METHODS

VIA FACSIMILE : 571 273 8300

RESPONSE UNDER 37 CFR 1.121

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

October 5, 2006

Dear Sir:

In response to the Office Action dated July 5, 2006, please amend the above-identified application as follows :

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.